



PATENT
Attorney Docket No. LIFT-020/00US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Gyula VIGH**

Application No.: **09/990, 549**

Confirmation No.: **2580**

Filed: **November 21, 2001**

Group Art Unit: **1753**

For: **ISOELECTRIC GATEWAYS AND
METHOD AND APPARATUS FOR USING SUCH
ISOELECTRIC GATEWAYS**

Examiner: **Kaj K. OLSEN**

U.S. Patent and Trademark Office
Customer Service Window, **Mail Stop Petition**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

**REQUEST FOR RECONSIDERATION OF
PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Applicant hereby requests reconsideration of the Petition to Revive under 37 CFR 1.137 (b) , filed May 30, 2006.

Applicant's Petition to Revive under 35 CFR 1.137(b), submitted May 30, 2006, was dismissed in the Decision on Petition mailed September 27, 2006. In view of the Examiner's issuance of an Advisory Action, the Office indicated that Applicant's Amendment and Request for Reconsideration under 37 CFR 1.116 submitted with the Petition did not "place the application in condition for allowance".

Applicant again petitions for revival of this application and includes the following items:

1. Proper Response
 - A. The proper response (Request for Continued Examination, and Amendment and Request for Reconsideration Under 35 U.S.C. § 1.116) is enclosed herewith.
2. Terminal disclaimer with disclaimer fee

☒ [X] Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ [] A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity of \$ _____ for other than a small entity) equivalent to the number of months from abandonment to the filing of this petition is enclosed herewith.

3. Statement. The entire delay in filing from the due date of the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

In support of Applicant's Petition to Revive, Applicant also encloses herewith prior counsel's Request for Withdrawal As Attorney or Agent (dated January 26, 2005), in which prior counsel indicated that future correspondence from the Office should be forwarded to "Erich E. Veitenheimer, Esq., Ph.D." at "Morgan Lewis & Bockius, LLP, 1111 Pennsylvania Avenue, NW, Washington, DC 20004". However, the Office subsequently directed the final rejection dated August 3, 2005 to prior counsel (i.e., James D. Jacobs, Esq., Baker & McKenzie, 805 Third Avenue, New York, NY 10022; see cover sheet of final rejection, enclosed herewith). Prior counsel failed to forward this correspondence to Applicant's present representative. Accordingly, Applicant was unaware that the Office had issued the final rejection.

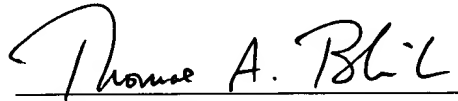
Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or to credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Respectfully submitted,

Cooley Godward LLP

Dated: 10/5/06

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from PAIR 2/21/06

Date	January 26, 2005	Phone	Fax
To	Commissioner for Patents, USPTO		703-872-9306
From	James D. Jacobs	+1 212 891 3951	+1 212 310 1651
Client/Matter No.	56104576		
Re	See attached application numbers		
Pages (w/cover)	4		

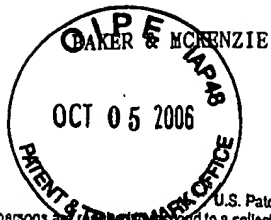
Please see attached Withdrawal as Attorneys.

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	see attached sheet
	Filing Date	see attached sheet
	First Named Inventor	see attached sheet
	Art Unit	see attached sheet
	Examiner Name	see attached sheet
	Attorney Docket Number	see attached sheet
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Withdrawal as Attorney and Change of Correspondence Address.
Remarks This correspondence is being facsimile transmitted to the USPTO at 703-872-9306 on January 26, 2005.		

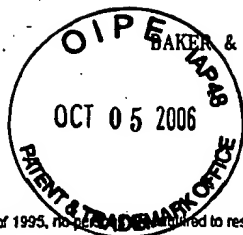
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Baker & McKenzie LLP		
Signature			
Printed name	James David Jacobs, Esq.		
Date	January 26, 2005	Reg. No.	24,299

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Amelia Flinker	Date	January 26, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/83 (09-04)

Approved for use through 11/30/2005. OMB 0651-0035

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REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS

Application Number	see attached sheet
Filing Date	see attached sheet
First Named Inventor	see attached sheet
Art Unit	see attached sheet
Examiner Name	see attached sheet
Attorney Docket Number	see attached sheet

**To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Please withdraw me as attorney or agent for the above identified patent application, and

- ☒ all the attorneys/agents of record.
☐ the attorneys/agents (with registration numbers) listed on the attached paper(s), or
☒ the attorneys/agents associated with Customer Number 28453

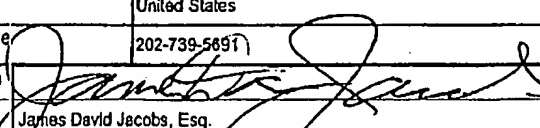
NOTE: This box can only be checked when the power of attorney of record in the application is to all the practitioners associated with a customer number.

The reasons for this request are: Applicant has requested transfer to another attorney/agent.

CORRESPONDENCE ADDRESS

1. ☐ The correspondence address is NOT affected by this withdrawal.
2. ☒ Change the correspondence address and direct all future correspondence to:
☐ The address associated with Customer Number:

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Erich E. Veltanheimer, Esq., PhD		
Address	Morgan Lewis & Bockius, LLP 1111 Pennsylvania Avenue, NW		
City	Washington	State	DC
Country	United States		
Telephone	202-739-5691	Fax	202-739-3001
Signature			
Name	James David Jacobs, Esq.	Registration No.	24,299
Date	January 26, 2005	Telephone No.	212-751-5700

NOTE: Withdrawal is effective when approved rather than when received. Unless there are at least 30 days between approval of withdrawal and the expiration date of a time period for response or possible extension period, the request to withdraw is normally disapproved.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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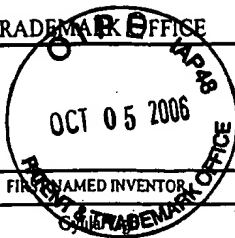
Application No.	First Named Inventor	Art Unit	Examiner Name	Docket Number
10/388,308	Kailing Wang	1753	NOGUEROLA, ALEXANDER STEPHAN	56104576-106
10/386,738	Kailing Wang	1753	NOGUEROLA, ALEXANDER STEPHAN	56104576-110
10/632,644	Andrew Gilbert	1743	SIEFKE, SAMUEL P	56104576-111
10/774,082	Dennis Rylatt	1641	COOK, LISA V	56104576-112
10/842,406	David Solomon	1711		56104576-120
09/887,371	Brendon Conlan	1753	PHASGE, ARUN S	56104576-22
09/887,208	Brendon Conlan			56104576-23
09/931,342	Brendon Conlan	1753	PHASGE, ARUN S	56104576-24
10/037,004	Brendon Conlan	1753	PHASGE, ARUN S	56104576-25
10/006,241	Brendon Conlan	1741		56104576-26
10/036,943	Brendon Conlan			56104576-27
10/085,658	David Solomon	1713	LIPMAN, BERNARD	56104576-32
10/146,596	Kailing Wang	1753	OLSEN, KAJ K	56104576-35
10/196,435	Elizabeth Seabrook	1753	PHASGE, ARUN S	56104576-37
10/234,423	Steven Botto	3762	BIANCO, PATRICIA	56104576-40
10/212,974	Lucy Ryan	1761		56104576-42
10/163,885	Gyula Vigh	1753	OLSEN, KAJ K	56104576-43
10/029,026	Philip Roeth	1753	PHASGE, ARUN S	56104576-50
09/990,549	Gyula Vigh	1753	OLSEN, KAJ K	56104576-51
10/029,014	Chenicheri Nair	1753	BARTON, JEFFREY THOMAS	56104576-52
09/470,822	GRACE SZE MAN CH	3762	BIANCO, PATRICIA	56104576-53
09/701,818	Dennis Rylatt	1641	COOK, LISA V	56104576-56
09/647,821	Grace Chan			56104576-57
09/970,997	David Ogle	1753	NOGUEROLA, ALEXANDER STEPHAN	56104576-61
09/972,436	David Ogle	1753	BARTON, JEFFREY THOMAS	56104576-66
10/167,540	Howard Manusu	1753	NOGUEROLA, ALEXANDER STEPHAN	56104576-69
09/787,368	Chenicheri Nair	1741	YILMAZ, ANGLOIS	56104576-71
09/961,591	Gyula Vigh	1753	OLSEN, KAJ K	56104576-78
10/000,473	Shaun Atchison	1753	OLSEN, KAJ K	56104576-79
09/837,678	David Ogle	1753	NOGUEROLA, ALEXANDER STEPHAN	56104576-82
09/743,018	Thomas Exner	1614	WALLACE, VONDA M	56104576-83
10/364,995	david solomon	1711	TRAN, THAO T	56104576-109
09/470,823	Brendon Conlan	1741	PHASGE, ARUN S	56104576-21
07/432,722	JOEL MARGOLIS	1102	RYSER, DAVID	56104576-36
09/645,956	David Solomon	1711	RIBAR, TRAVIS B	56104576-47
09/543,855	Howard Manusu	1743	NOGUEROLA, ALEXANDER STEPHAN	56104576-48
09/834,462	Brendon Conlan	1755	BROWN, JENNINE M	56104576-54
09/785,761	Grace Chan	1753	NOGUEROLA, ALEXANDER STEPHAN	56104576-55
09/546,743	Andrew Gilbert	1743	SIEFKE, SAMUEL P	56104576-60
09/837,677	Brendon Conlan	1753	NOGUEROLA, ALEXANDER STEPHAN	56104576-62
09/390,565	David Ogle	1743	NOGUEROLA, ALEXANDER STEPHAN	56104576-63
08/776,897	Thomas Exner	1743	SODERQUIST, ARLEN	56104576-67
09/532,654	David Solomon	1743	NOGUEROLA, ALEXANDER STEPHAN	56104576-70
08/535,126	JOEL MARGOLIS	1102	NOGUEROLA, ALEXANDER STEPHAN	56104576-73
09/000,117	Howard Manusu	1744	NOGUEROLA, ALEXANDER STEPHAN	56104576-74
07/949,293	JOEL MARGOLIS	1809	LUDLOW, JAN M	56104576-75
08/397,158	Thomas Exner	1211	GITOMER, RALPH J	56104576-76
29/101,666	David Ogle	2914	SIMMONS, IAN	56104576-80
29/121,396	Howard Manusu	2914	SIMMONS, IAN	56104576-81
09/601,073	Thomas Exner	1651	GITOMER, RALPH J	56104576-84
09/956,389	Grace Chan	1711	BOYKIN, TERRESSA M	56104576-86
10/265,798	Brendon Conlan	1753	DIAMOND, ALAN D	56104576-105
10/233,788	Kailing Wang	1645	SWARTZ RODNEY P	56104576-44
10/024,114	David Solomon	1713	PEZZUTO, HELEN LEE	56104576-49
10/016,577	Chenicheri Nair			56104576-68
09/853,814	Sarah Gee	1644	SAUNDERS, DAVID A	56104576-72
09/476,574	Grace Chan	1711	BOYKIN, TERRESSA M	56104576-85

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,549	11/21/2001			2580

7590 08/03/2005
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EXAMINER	
OLSEN, KAJ K	
ART UNIT	PAPER NUMBER
1753	

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.